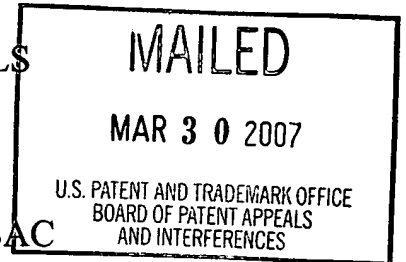


UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE BOARD OF PATENT APPEALS
AND INTERFERENCES

Ex parte DAVID SHAVER and JEAN M. FOISSAC



Application 10/789,444

ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

This application was electronically received at the Board of Patent Appeals and Interferences on January 8, 2007. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the Examiner. The matters requiring attention prior to docketing are identified below:


On August 23, 2006, the Examiner entered an Examiner's Answer. On page 3, section (8) entitled "Evidence Relied Upon," the Examiner relies upon French Patent 2797559 to Gaudru. However, a review of the record reveals that there is no full-text translation of the afore-mentioned French patent but, rather, a Derwent abstract publication.

Application No. 10/789,444

Accordingly, it is

ORDERED that the application is returned to the Examiner to provide a full-text translation of French Patent 2797559 to Gaudru, to provide Appellants a copy of said translation, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS
AND INTERFERENCES

By: 

PATRICK J. NOLAN
Deputy Chief Appeal Administrator
(571) 272-9797

PJN:clj

Dallas Office of Fulbright & Jaworski LLP
2200 Ross Ave.
Suite 2800
Dallas, TX 75201-2784